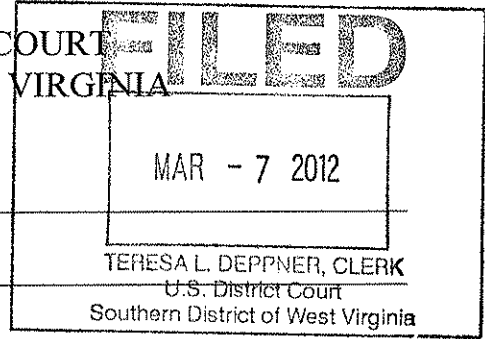


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA



Jean Elizabeth Kaufman

*(Enter above the full name of the plaintiff
or plaintiffs in this action).*

(Inmate Reg. # of each Plaintiff)

VERSUS

CIVIL ACTION NO. 1:12-0237

(Number to be assigned by Court)

United States of America

*(Enter above the full name of the defendant
or defendants in this action)*

COMPLAINT

I. Previous Lawsuits

- A. Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action or otherwise relating to your imprisonment?

Yes X

No ~~8~~

- B. If your answer to A is yes, describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline).

1. Parties to this previous lawsuit:

Plaintiffs: Jean E. Kaufman

Defendants: Officer H. Baynard =
United States Government

2. Court (if federal court, name the district; if state court, name the county);

Bluefield

3. Docket Number: 1:10-0071

4. Name of judge to whom case was assigned:

Faber

5. Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?)

Dismissed for lack of subject
matter jurisdiction

6. Approximate date of filing lawsuit: 1/2010

7. Approximate date of disposition: 3/2011

II. Place of Present Confinement: No longer confined

A. Is there a prisoner grievance procedure in this institution?

Yes _____ No N/A

B. Did you present the facts relating to your complaint in the state prisoner grievance procedure?

Yes X No _____

C. If you answer is YES:

1. What steps did you take? Filed BP 8.5, BPa,

BP 10, BP 11, Tort claim

2. What was the result? All but tort claim

responded to with neg. answers.

Tort claim not responded to in 6 mo. period

D. If your answer is NO, explain why not: _____

III. Parties

(In item A below, place your name and inmate registration number in the first blank and place your present address in the second blank. Do the same for additional plaintiffs, if any.)

A. Name of Plaintiff: Jean Elizabeth Kaufman # 75096-083

Address: 14250 Durham Lane, Barboursville, VA 26023

B. Additional Plaintiff(s) and Address(es): _____

(In item C below, place the full name of the defendant in the first blank, his/her official position in the second blank, and his/her place of employment in the third blank. Use item D for the names, positions, and places of employment of any additional defendants.)

C. Defendant: Officer H. Baynard
is employed as: Unicorn Supervisor
at FPC Alderson - Institution

D. Additional defendants: ~~FPC Alderson~~
US Government as ~~representative~~
substitution for
Officer Baynard

IV. Statement of Claim

State here as briefly as possible the facts of your case. Describe how each defendant is involved. Include also the names of other persons involved, dates and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

See Attached

IV. Statement of Claim (continued):

V. Relief

State briefly exactly what you want the court to do for you. Make no legal arguments.
Cite no cases or statutes.

See Attached

V. Relief (continued)):

VII. Counsel

- A. If someone other than a lawyer is assisting you in preparing this case, state the person's name:

- B. Have you made any effort to contact a private lawyer to determine if he or she would represent you in this civil action?

Yes X No

If so, state the name(s) and address(es) of each lawyer contacted:

Have not found a lawyer (versed in federal
litigation) who can take this case on contingency.

If not, state your reasons: I can not afford
an attorney

- C. Have you previously had a lawyer representing you in a civil action in this court?

Yes No X

If so, state the lawyer's name and address:

Signed this 2 day of March, 2012.

Jean Elizabeth Kaufman

Signature of Plaintiff or Plaintiffs

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 3-2-2012
(Date)

Jean Kaufman
Signature of Movant/Plaintiff

Signature of Attorney
(if any)

STATEMENT OF CLAIM

On January 28, 2008 I was assaulted by Officer H. Baynard. I was waiting in line at the dining hall. Inmate Brandy Stevens was in front of me and she went through the door that Baynard was holding open. Baynard began yelling at her that she entered the wrong door and demanded that she come back out of the building and go back through the other door. Neither door was marked enter or exit. I waited for Stephens to come back around and mumbled to her "that was real important." Baynard heard what I said to her and yelled at me, demanding my ID. He then ordered me to report to the Lieutenant's office after the Meal. He instructed me to get back in line and I complied. Immediately, Baynard called me back over to the entrance and ordered me outside. As I walked outside he was screaming obscenities and threatening me. Quietly and without animosity, I said that he was speaking to me disrespectfully and to please stop. He then ordered, "fine, put your hands on the wall." I complied and C.O. Baynard began roughly searching me. He continued to strike at my pockets where I had paper. I turned my head to the right and told him that I wanted to speak to Captain DuPuis.

Suddenly I was slammed into the wall repeatedly. I lifted my hands above my head and cried out "Stop touching me! I want to see the Captain. Stop touching me!" He continued to slam me against the wall. He then grabbed my arm and neck and swung me around to face the opposite direction and slung me onto the ground approximately six feet away from the building. C.O. Baynard then planted his knee in my back dropping his full weight upon me.

He never handcuffed me and never called for assistance even though several officers were just inside the building. Inmates could see from the window and began pounding on the window and calling for help. As the A.W., Capt. DuPuis and other staff members came out the door, I cried out "please someone help me." I was santched to my feet, still uncuffed and taken to the administration building. I have my statement, was seen by medical and then released back to my housing unit.

Relevant Information:

- I have more witnesses than the investigators would interview. Lt Landen refused to take their statements.
- Pictures were taken of the multiple bruises/contusions on my arms, back and leg.
- Medical staff at FPC Alderson examined me and recorded the marks on my body.
- I have reason to believe that FPC Alderson was aware that there were other instances with C.O. Baynard acting inappropriately with female inmates and failed to provide proper security and safety.
- I suffer from PTSD and participated in counseling at FPC Alderson. They were aware of my condition and negligently disregarded it. This incident exacerbated my PTSD symptoms and created new terrors/triggers for me.

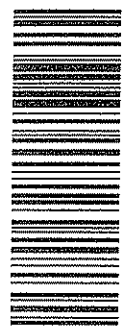
Relief Requested

Monetary compensation in the amount of 1.5 million US Dollars to address physical, emotional and financial damages (as follows) suffered due to the defendant's actions.

- Physical damages include possible permanent damage to right leg, left shoulder, left elbow and back resulting in debilitating pain, lack of mobility and limited physical functioning.
- Emotional damages include exacerbated PTSD (Post Traumatic Stress Disorder) as well as creating new triggers that severely limit social functioning, ability to sleep restfully, employability and basic quality of life.
- Financial repairs to, at a minimum, cover medical treatments, psychological counseling, rehabilitation, loss of wages and loss of future earning potential

It is further noted that plaintiff requests that the court consider advisement to defendant to seek anger management counseling as well as additional training on the correct procedures for confrontation (human interaction) or proper restraint of an inmate. These items may decrease the chance of this (or similar) event happening to another female.

Ms. Jean Kaufman
14250 Durham Ln.
Barboursville, VA 22923



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